

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**GBEKE M. AWALA  
FED. REG. NO. 82074-054**

**CIVIL ACTION 07-0160**

**SECTION P**

**VS.**

**CIRCUIT JUDGE BARKSDALE, ET LA.**

**JUDGE JAMES  
MAGISTRATE JUDGE HAYES**

**ORDER**

Before the court is a *pro se* civil rights complaint filed *in forma pauperis* on January 24, 2007, by plaintiff Gbeke M. Awala. Plaintiff is an inmate in the custody of the Federal Bureau of Prisons; he is presently incarcerated at the Moshannon Valley Correctional Center, Philipsburg, Pennsylvania. In a rambling series of pleadings, plaintiff complains that his constitutional rights have been violated by various federal judges, the Attorney General of the United States, the Clerk of the United States Supreme Court, and others. Plaintiff is a frequent litigant. According to the United States Courts PACER database, he has filed, to date, 75 civil complaints in the United States Courts.

On March 5, 2007, plaintiff applied for *in forma pauperis* status [doc. 5], and on March 6, 2007, his motion to proceed *in forma pauperis* was granted. [doc. 8] Plaintiff has, on more than three occasions while a prisoner, had civil cases dismissed as frivolous. See for example, *Gbeke Michael Awala v. U.S. Marshal Keith, et al.*, 2006 WL 1540924 (United States District Court, District of New Jersey, May 31, 2006), “An examination of court records reveals plaintiff has filed at least twenty civil actions in various federal courts. More than three of these actions have

been dismissed under 28 U.S.C. §§ 1915(e)(2) and 1915A. *See Awala v. Wachovia Corp.*, No. 05-3381 (3d Cir. Dec. 8, 2005); *Awala v. People Who Want to Restrict Our First Amendment Rights*, No. 05-3863 (3d Cir. Dec. 8, 2005); *Awala v. Delaware River and Bay Auth. Police Dept.*, Civil No. 05-97-KAJ (D.Del. Dec. 15, 2005); *Awala v. State of New Jersey Dept. Of Corrections*, Civil No. 05-2362(FLW)(D.N.J. Aug. 23, 2005); and *Awala v. Federal Pub. Defender*, No. 05-CV-281-KAJ (D.Del. Aug. 5, 2005).”

28 U.S.C. §1915(g) provides:

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

Plaintiff is well aware of this provision. It has been invoked to deny him *in forma pauperis* status in several lawsuits filed including the action cited above.

Plaintiff's complaint alleges that the defendants have deprived him of his birth right as a citizen of the United States; it does not allege that he is “...in imminent danger of serious injury...” Plaintiff is not eligible to proceed *in forma pauperis* in this matter. Therefore

**IT IS ORDERED** that order granting plaintiff's *in forma pauperis* status [doc. 8] is hereby **REVOKED** and **RESCINDED**;

**IT IS FURTHER ORDERED** that in order for this complaint to remain viable, plaintiff must pay the full filing fee of \$350.00 within twenty (20) days from the date of this order.

**FAILURE TO PAY THE FULL FILING FEE WILL RESULT IN THE PLEADINGS**

**BEING STRICKEN FROM THE RECORD.**

**THUS DONE AND SIGNED** in Chambers, in Monroe, Louisiana this 2<sup>nd</sup> day of April,  
2007.

A handwritten signature in black ink, appearing to read "Karen L. Hayes", is written over a horizontal line.

KAREN L. HAYES  
U. S. MAGISTRATE JUDGE